

**Minutes of the Grinnell City Council Meeting
Monday, March 21, 2005**

The City Council of the City of Grinnell met in regular session in the Council Chambers of the Grinnell Community Center, 927 4th Avenue, Grinnell, Iowa, at 7:00 p.m., Monday, March 21, 2005. Mayor Canfield presided.

Roll Call: PRESENT: Elliott, McNaul, White, Worley, Wilson ABSENT: McNaul.

PERFECTING AND APPROVAL OF AGENDA:

Moved by WHITE, second by WORLEY, to approve the Agenda and the Consent Agenda as presented. Roll Call Vote: Ayes: White, Worley, Witt, Wilson, Elliott. Motion carried.

CONSENT AGENDA:

- Previous minutes as drafted from the Monday, March 7, 2005 Regular Session.
- Approval of the Clerk's Report.
- Approval of the Treasurer's Report.

Public Hearing:

Mayor Canfield opened the public hearing In regard to the Lang Creek Crossing Development Agreement at 7:05 pm. This was a joint session held with Poweshiek County. Mayor Canfield asked if any comment or objections had been filed prior to the meeting. Hage stated there were none. Canfield requested comments and objections from the citizens present. There were none.

Moved by ELLIOTT, second by WHITE, to close the public hearing at 7:06 pm. Roll Call Vote: Ayes: Elliott, White, Wilson, Worley, Witt. Motion carried.

Mayor Canfield opened the public hearing In regard to considering approval of the proposed Amendment No. 1 to the Grinnell Urban Renewal Plan for the City of Grinnell, Iowa at 7:08 pm. Mayor Canfield asked if any comment or objections had been filed prior to the meeting. Hage stated there were none. Canfield requested comments and objections from the citizens present. There were none.

Moved by ELLIOTT, second by WORLEY, to close the public hearing at 7:09 pm. Roll Call Vote: Elliott, Worley Wilson, Witt, White. Motion carried.

Wilson requested that Worley review the proposed amendment. Worley detailed this amendment will add the newly annexed land on the east and west portions of Highway 146, currently known as the Lang Creek Crossing Development.

Moved by WORLEY, second by WHITE, to approve and adopt Resolution No. 2759: "A RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AN AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS

APPROPRIATE FOR AN URBAN RENEWAL PROJECT; AND ADOPTING AMENDMENT NO. 1 TO THE GRINNELL URBAN RENEWAL PLAN THEREFOR.”

Roll Call Vote: Ayes: Worley, White, Witt, Elliott, Wilson. Motion carried.

Behrens commented that the city will not be able to take action on the development agreement until after the final reading of the proposed ordinance.

Moved by WORLEY, second by WHITE to introduce and conduct the first reading of Ordinance No.1247: “AN ORDINANCE AMENDING ORDINANCE NO. 1057 PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE AMENDED GRINNELL URBAN RENEWAL AREA OF THE CITY OF GRINNELL, COUNTY OF POEWSHIEK, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF GRINNELL, COUNTY OF POWESHIEK, GRINNELL-NEWBURG COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES, ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED, INCURRED BY SAID CITY IN CONNECTION WITH THE AMENDED GRINNELL URBAN RENEWAL REDEVELOPMENT PROJECT.” Roll Call Vote: Ayes: Worley, White, Wilson, Elliott, Witt. Motion carried.

Moved by ELLIOTT, second by WHITE, to defer action on the development agreement until the second meeting in April. Roll Call Vote: Ayes: Elliott, White, Witt, Worley, Wilson. Motion carried.

Mayor Canfield then opened the public hearing for the purpose of opening sealed bids and awarding a bid for the removal of a tower located at the Public Safety Building at 7:13 pm. Chief Matherly stated that one bid had been received in a timely fashion. The bid was submitted by German Plumbing, Heating and Cooling to remove the tower at no charge to the city.

Moved by ELLIOTT, second by WORLEY, to close the public hearing at 7:14 pm. Roll Call Vote: Ayes: Elliott, Worley, White, Witt, Wilson. Motion carried.

Moved by ELLIOTT, second by WORLEY, to accept the bid as proposed. Roll Call Vote: Ayes: Elliott, Worley, White, Witt, Wilson. Motion carried.

COMMUNICATIONS/COMMITTEE MINUTES:

- I. Finance Committee: March 7, 2005.
- II. Public Works and Grounds Committee: March 7, 2005.
- III. Planning Committee: March 8, 2005.
- IV. Public Safety Committee: March 15, 2005
- V. City Council Special Session: March 10, 2005.
- VI. Tourism: February 16, 2005 and March Financials
- VII. Memorial Commission: February 15, 2005.
- VIII. Civil Service Commission: March 17, 2005.
- IX. Renaissance Financials: March, 2005

OLD BUSINESS:

- I. Report from the Finance Committee.
 - o Discussion in regard to the proposed contract to provide service to assist with health insurance negotiations.

White reviewed the proposal from Bernie Lowe and Associates to assist with managing the city's health insurance plan.

Moved by WHITE, second by WILSON, to enter into a one year contract with Bernie Lowe and Associates, to be reviewed upon completion of the first year at the cost of \$10.00 per employee per month, \$7,800.00 annually.

Wilson commented that savings is only a portion of the agreement. The other portion is simply helping the city manage the insurance program and with the negotiations with the carrier to attempt to keep the cost down. Wilson is confident in the information that will be provided will be beneficial for negotiations.

Roll Call Vote: Ayes: White, Wilson, Witt, Worley, Elliott. Motion carried.

- Review of the request by Grinnell-Newburg Schools for waiver of building permit fees.

White updated the council on the \$12.5 million project underway at the high school. The committee discussed the request made by the school for waiver of the permit fees. White stated the consensus of the committee was that the city could not afford to waive the entire fee and must at least recoup the costs incurred by the city inspections. White stated that consideration of this request has been made under the premise that the school is not like any other entity within city limits and that no other business or agency will be eligible for this type of consideration.

Moved by WHITE, second by WILSON, to approve waiver of the fees up to \$30,000.00 and any amount of fee incurred over that would be required to be paid by the school.

Elliott commented that the city has never waived a building permit fee. She did not feel that this issue can be compared to other communities. She felt the city had set a precedent when the fee for the Iowa Transportation Museum was waived due to that action was considered as local match for the project. She does support the compromise, however will not support any future requests made by the school or any other entity. Wilson commented that the initial request was made in the fall. While he shares Elliott's concern, he does not feel that the request is unusual. He feels that the amount of the fee the school will pay will be comparable to the percentage of students that reside outside city limits. He felt the city council should support the building project and that the amount of private contribution demonstrates the community support for the project. He does not see assisting the public school as something wrong as they are a tax supported entity. Worley commented in regard to the school's support of the expansion of the Urban Renewal Amendment and the loss of revenue the school district will experience because of the amendment. He felt this is an appropriate partnership.

Roll Call Vote: Ayes: White, Wilson, Worley, Witt, Elliott. Motion carried.

- Review of the Building and Planning Secretary Job Classification.

This item was tabled for further research.

- Discussion in regard to the policy for preparing meeting agendas.

White reviewed the assignment of agenda items for committee review. He stated that staff is attempting to prepare a policy to create definitions to assist. He requested suggestions from the council.

- Review of the Lang Creek Crossing TIF Development Agreement.

White felt this item has been previously addressed during the meeting and made no further comment.

- Discussion in regard to the collection of delinquent utility bills.

White commented that staff will be preparing ordinance language for the implementation of utility deposits. Behrens clarified the original motion established a deposit fee of \$150.00. Elliott commented that this was intended to be implemented by ordinance and that the city should implement per single family residence and provide consideration for accounts that can display for good credit.

- Review of the Jeld-Wen CEBA Documents.

White discussed the 2002 CEBA award to Jeld-Wen by the state. This expansion had been previously planned and is now moving forward. Elliott commented that half of the funding is a forgivable loan in which the city must sign a promissory note for Jeld-Wen to receive. Wilson commented that the city has had discussion and will be reviewing the information prior to action being taken in regard to the TIF development agreement.

Moved by WHITE, second by WILSON, to authorize the Mayor to execute the contracts as required by the state of Iowa for the Jeld-Wen CEBA Award. Roll Call Vote: Ayes: White, Wilson, Elliott, Worley, Witt. Motion carried.

- Recommendation in regard to the requests for assistance from the Campbell Fund.

The requests were approved as presented.

II. Report from the Public Works and Grounds Committee.

- Review of the agreement for services proposed by CGA in regard to the Grinnell Trail Head and approval of the agreement presented by the Iowa Department of Transportation in regard to the Grinnell Area Recreation Trail/Trailhead link. Review of the agreement for services proposed by CGA in regard to the Grinnell Trail Head.

This item was tabled until more information can be obtained from Region 6. This item should be back to council review in two months as the hope is to complete the project during the fall construction season.

- Review of the financing plan for the purchase of a new sander.

Elliott reminded the council that they approved the purchase of the sander by the Public Services Department; however the committee requested that a plan for finance be submitted to the committee for further consideration. The purchase will be funded by remaining capital loan note funds from the department and from the funding originally

proposed to relocate the traffic signal. Elliott discussed that it is the intent at this point to expend capital loan notes in the year they are issued.

- Update in regard to the implementation of the storm water utility.

Discussion of this issue was tabled due to lack of time available during the committee session.

- Discussion with Bill Grabe – CGA – in regard to airport projects.

Elliott commented that the committee reviewed pending airport projects. The t-hanger and taxiway construction projects will receive bids in May with completion of the construction of the projects in October. The security fence project will receive bids during the summer with fall completion to allow for construction while there no crops in the field. The AWOS system has further work that needs to be completed, including obtaining an easement. This project timeline has not yet been set. The easement cost can be included in the cost of the system and would be eligible for grant funding. The committee also discussed the tower situations and that there will be a future meeting to attempt to resolve the issue.

- Discussion in regard to water main, sewer main, lift station, and water storage fees related to the Wal-Mart Development.

Elliott reviewed the research completed to date and reminded the council that there are no incentives that will be provided to Wal-Mart for the construction of their project. There will be no additional fees for connection to the water and sewer mains. The Farmhand lift station has been in operation for quite some time, however when it was replaced, cost was incurred due to its expansion and upgrading. Past practice has been to spread the cost of these types of improvements over new development area. Once the figure has been derived, the cost of the project will be assessed per acre. The only two developments at this point that will be assessed are the Lang Creek project and Wal-Mart. The detail will be available for council review at the next regular meeting.

Elliott then explained the process that is being considered for the development of fees in relation to the above ground storage. The project construction cost is anticipated to be \$1 million. The formula includes the number of square footage that will be under roof that will require for fire protection. The fee for Wal-Mart will be \$50,000.00 and payment of that fee was included as part of the development agreement.

- Schedule the public hearing in regard to the Central Business District Reconstruction plans and specifications for Monday, April 4, 2005 at 7:00 pm.

Elliott explained that this hearing is for approval of the plans and specifications only, not for awarding the bid.

Moved by ELLIOTT, second by WILSON, to schedule the public hearing in regard to the Central Business District Reconstruction plans and specifications for Monday, April 4, 2005 at 7:00 pm. Roll Call Vote: Ayes: Elliott, Wilson, White, Witt, Worley. Motion carried.

- Schedule the public hearing in regard to the East Arbor Lake Stormwater Separation Project for Monday, April 18, 2005 at 7:00 pm accepting bids until Thursday, April 14, 2005 at 2:00 pm.

Moved by ELLIOTT, second by WORLEY, to schedule the public hearing in regard to the East Arbor Lake Stormwater Separation Project for Monday, April 18, 2005 at 7:00 pm accepting bids until Thursday, April 14, 2005 at 2:00 pm. Roll Call Vote: Ayes: Elliott, Witt, Worley, Wilson, White. Motion carried.

- Schedule the public hearing in regard to the State Street Water Main Project for Monday, April 18, 2005 at 7:00 pm accepting bids until Thursday, April 14, 2005 at 2:30 pm.

Moved by ELLIOTT, second by WITT to schedule the public hearing in regard to the State Street Water Main Project for Monday, April 18, 2005 at 7:00 pm accepting bids until Thursday, April 14, 2005 at 2:30 pm. Roll Call Vote: Ayes: Elliott, Witt, Wilson, Worley White. Motion carried.

- Review of the request to purchase a truck for the Water Resources Director.

Elliott stated this purchase was included in the FY 04-05 budget.

Moved by ELLIOTT, second by WHITE, to authorize the purchase of the Chevrolet pick-up truck off the state bid. Roll Call Vote: Ayes: Elliott, White, Wilson, Worley, Witt. Motion carried.

- Review of the request by Grinnell-Newburg Schools to extend the lease of the municipal swimming pool parking lot.

Moved by ELLIOTT, second by WHITE, to extend the lease agreement with Grinnell-Newburg Schools for use of the municipal swimming pool parking lot to June 15, 2006. Roll Call Vote: Ayes: Elliott, White, Witt, Wilson, Worley. Motion carried.

- Review of the Application and Agreement for Use of Highway Right-of-Way for Utilities Accommodation submitted by Iowa Telecommunications.

Moved by ELLIOTT, second by WITT, to approve the Application and Agreement for Use of Highway Right-of-Way for Utilities Accommodation submitted by Iowa Telecommunications. Roll Call Vote: Ayes: Elliott, Witt, Worley, White. Abstain: Wilson, due to conflict of interest. Motion carried.

- Review of the request for variance in regard to an oversize curb cut submitted by MSA Professional Services for the development of Kum and Go located at Lang Creek Crossing.

Elliott reviewed the request for two variances from the standard driveway opening regulations. This item will be reviewed at the next regular meeting. Construction is not scheduled until mid-April so the project should not be delayed.

- Discussion in regard to the issuance of journeyman cards.

This item will be discussed at the next regular meeting.

III. Report from the Planning Committee.

- Review of the Renaud Annexation and Wal-Mart negotiations.

Worley reviewed outstanding items from prior discussions. The committee has been substantially satisfied with the agreements made in regard to remaining items. The committee felt that the agreement should be prepared for approval at the April 4, 2005 meeting. This will allow for the completion of the annexation.

White questioned the status of the other annexations of more property along Highway 146. Worley felt the second annexation should be completed after the current request. Negotiations are under way with the other land owners. White requested that the balance of the Renaud property be incorporated all at one time. Worley recognized the concern. Wilson felt that this portion of the discussion came late to the original petition and that the city needs to address that first. He does not want the project delayed any further. White felt the city is losing their bargaining power by proceeding without it. He felt it was the only fair way to address the concern of the community. There is no action proposed for this item this evening.

- Discussion in regard to the E-Community Action Plan.

Due to the absence of McNaul at the meeting and the required abstention of Worley from discussion due to his conflict of interest, action on this item was tabled to the next regular meeting.

- Discussion in regard to dates for scheduling a strategic planning session.

The committee reviewed how the session would be led; the date proposed for Monday, May 9, 2005 from 6:00 to 9:00 pm. The committee will have a firm proposal for the next regular meeting. White requested an alternate date. Elliott questioned the discussion of location. Worley commented the consensus was to hold the meeting at Grinnell House. Elliott commented that sometimes choosing an alternate location may discourage public participation. She felt that the meeting should be held at a public facility. The committee will review Elliott's point of concern.

IV. Report from the Public Safety Committee.

- Review the ordinances proposed for the Central Business District.

Wilson reviewed the proposed ordinances relating to traffic flow for the central business district. He stated the intent is to complete the readings prior to May 1, 2005. Wilson reviewed each ordinance prior to its reading.

Moved by WILSON, second by ELLIOTT, to introduce and read Ordinance No.1242: "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF GRINNELL, IOWA BY AMENDING PROVISIONS PERTAINING TO CHAPTER 13, SECTION 13-506 (FOUR-WAY INTERSECTIONS ENUMERATED; OBSERVANCE)" with the amended effective date of May 1, 2005. Roll Call Vote: Ayes: Wilson, Elliott, Worley, Witt, White. Motion carried.

Anderson reviewed the process that will be necessary to make the changes. The

council agreed that the best time to implement the changes will be during the weekend when traffic flows are light. The council recognizes that the city will incur overtime. Staff will be developing a plan of action.

Moved by WILSON, second by ELLIOTT, to introduce and read Ordinance No.1243: "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF GRINNELL, IOWA BY AMENDING PROVISIONS PERTAINING TO CHAPTER 13, SECTION 13-504 (ONE WAY STREETS)" with the amended effective date of May 1, 2005. Roll Call Vote: Ayes: Wilson, Elliott, White, Witt, Worley. Motion carried.

Moved by WILSON, second by WORLEY to introduce and read Ordinance No.1244: "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF GRINNELL, IOWA BY AMENDING PROVISIONS PERTAINING TO CHAPTER 13, SECTION 13-508 (PARKING RESTRICTIONS)"with the amended effective date of May 1, 2005.

Elliott requested clarification as to why the city is taking this action. Worley explained that this provision is to ease the limited parking through the construction season. Once construction is complete, this provision will be repealed. This is a temporary measure to open up more parking spaces for customers. Elliott then questioned the enforcement of the ordinance. Behrens stated that the enforcement will be on a complaint basis and the issuance of warnings.

Roll Call Vote: Ayes: Wilson, Worley, Witt, White, Elliott. Motion carried.

Moved by WILSON, second by WORLEY, to introduce and read Ordinance No. 1245: "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF GRINNELL, IOWA, BY AMENDING PROVISIONS PERTAINING TO CHAPTER 13, SECTION 13-503 (ONE-WAY ALLEYS) with the amended effective date of May 1, 2005. Roll Call Vote: Ayes: Wilson Worley, Elliott, Witt, White. Motion carried.

- Discussion in regard to the position vacancies in the Grinnell Police Department.

The committee reviewed with Chief Matherly that the existing civil service list has been exhausted, and that he will begin working with the Civil Service Committee to create a new list of certified officers only. Witt questioned when the new officer will begin employment. He stated that the new officer begins in April, however will not graduate from the Iowa Law Enforcement Academy until July. The remaining position has been advertised for and it is hoped that an offer can be made by the first week of June. Matherly stated if the city does not receive any qualified certified applicants, the process will start over seeking uncertified candidates. The committee reviewed the work schedule for the department and they will continue to update the council as information becomes available.

The committee has received notification from one of the townships in regard to the emergency services fees as it pertains to ambulance service. The city also received correspondence from a Highway 146 property owner of not being in favor of a speed limit change. This item remains under review. Chief Sicard commented in regard to grants received to assist with the purchase of new equipment.

NEW BUSINESS: None.

FIRST READING OF THE ORDINANCE:

Moved by WORLEY, second by WHITE, Ordinance No 1246: "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF GRINNELL, IOWA BY AMENDING PROVISIONS PERTAINING TO CHAPTER 12, DIVISION 3. (HOTEL AND MOTEL TAX.)" Roll Call Vote: Ayes: Worley, White, Wilson, Witt, Elliott. Motion carried.

INQUIRIES:

Gerry Allen – requested if the city has made progress on the vacation and sale of Pearl Street. Canfield stated that project is part of the city manager's report.

REPORT FROM THE CITY MANAGER:

Behrens stated all information in regard to Pearl Street has been provided to the City Attorney and should be available for the next regular meeting. Elliott requested that contact be made with Allen to review the process once the city has gained response from the city attorney. White requested the city move forward as quickly as possible.

Behrens informed the council of upcoming meetings including: downtown marketing, county dispatch, central business district, airport, ongoing review of the possible pool improvement project, the employee wellness clinic, traffic signal discussion for placement at Industrial Avenue and Highway 146. He commented in regard to the ongoing discussion of the Central Business District, Leonard Boswell will be present to discuss Lang Creek Crossing and its federal appropriation, and that the chamber donated a booth for the city to have at home show. Elliott commented in regard to the handling of solid waste during and after the construction process.

Moved by WORLEY, second by WHITE, to adjourn this regular session of the Grinnell City Council. Vote: (5) ayes, motion carried.

ATTEST:

Gordon Canfield, Mayor

Cassandra R. Hage, City Clerk